

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>FREE SPEECH COALITION, INC., et al.</b>	:	
	:	
Plaintiffs,	:	
	:	
v.	:	<b>Case No. 2:09-CV-4607 (MMB)</b>
	:	
<b>THE HONORABLE ERIC H. HOLDER, JR.,</b>	:	
Attorney General,	:	
	:	
Defendant.	:	

---

**ELECTRONIC FRONTIER FOUNDATION’S  
MOTION FOR LEAVE TO  
FILE BRIEF AS *AMICUS CURIAE* IN SUPPORT OF PLAINTIFFS**

---

The Electronic Frontier Foundation (“EFF”) respectfully requests that this Court grant it leave to file a brief as *amicus curiae* in support of the Plaintiffs.

On December 18, 2009, this Court ordered that *amicus* briefs may be filed at any time (Docket No. 18), and on February 12, 2010, the Court granted *amicus* ACLU of Pennsylvania’s motion for leave to file an *amicus curiae* brief on March 5, 2010 (Docket No. 30). EFF similarly requests permission to file its *amicus* brief on or before March 5, 2010, one week before the scheduled oral argument.

Plaintiffs consent to the proposed timeline. Defendant takes no position on the motion.

Respectfully submitted,

/s/ Carl A. Solano

Carl A. Solano (Pa. I.D. No. 23986)

Edward J. Sholinsky (Pa. I.D. No. 206561)

Attorneys for *Amicus Curiae* the Electronic Frontier Foundation

SCHNADER HARRISON SEGAL & LEWIS LLP

1600 Market Street, Suite 3600

Philadelphia, Pennsylvania 19103-7286

(215) 751-2000

Of Counsel

Dated: February 19, 2010

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>FREE SPEECH COALITION, INC., et al.</b>	:	
	:	
Plaintiffs,	:	
	:	
v.	:	<b>Case No. 2:09-CV-4607 (MMB)</b>
	:	
<b>THE HONORABLE ERIC H. HOLDER, JR.,</b>	:	
Attorney General,	:	
	:	
Defendant.	:	

---

**ORDER**

---

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2010, upon consideration of the Electronic Frontier Foundation's Motion for Leave to File an *Amicus Curiae* Brief, it is hereby ORDERED that the Motion is GRANTED, and the Electronic Frontier Foundation shall file an *amicus curiae* brief on or before March 5, 2010.

---

Baylson, J.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of February, 2010, I caused a true and correct copy of the foregoing Electronic Frontier Foundation's Motion for Leave to File an *Amicus Curiae* Brief to be served via electronic mail upon:

J. Michael Murray, Esquire  
Lorraine R. Baumgardner, Esquire  
Berkman, Gordon, Murray, & Devan  
55 Public Square  
2121 The Illuminating Bldg.  
Cleveland, OH 44113-1949  
jmmurray@bgmdlaw.com

Kevin E. Raphael, Esquire  
J. Peter Shindel, Jr., Esquire  
Pietrangallo, Gordon, Alfano, Bosick & Raspanti LLP  
1818 Market Street, Suite 3402  
Philadelphia, PA 19103  
ker@pietragallo.com

*Attorneys for Plaintiffs*

Kathryn Wyer, Esquire  
U.S. Dept. of Justice Civil Div.  
20 Massachusetts Avenue  
Washington, D.C. 20530  
kathryn.wyer@usdoj.gov

*Attorney for Defendant*

Fred T. Magaziner, Esquire  
Dechert, Price & Rhoads  
1717 Arch Street  
4000 Bell Atlantic Tower  
Philadelphia, PA 19103-2793  
fred.magaziner@dechert.com

Kristina Carol Evans, Esquire  
Dechert, LLP  
Cira Centre  
2929 Arch Street  
Philadelphia, PA 19104  
kristina.evans@dechert.com

Mary Catherine Roper, Esquire  
ACLU of Pennsylvania  
PO Box 40008  
Philadelphia, PA 19106  
mroper@aclupa.org

*Attorneys for Amicus Curiae the American Civil Liberties Union of Pennsylvania*

/s/ Edward J. Sholinsky  
Edward J. Sholinsky